

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 2, 4-14 and 24-38 are pending in the application, with claims 2, 4, 8 and 27 being the independent claims. New claims 30-38 are sought to be added. Support for the foregoing amendments may be found in the original claims as filed and throughout the specification, inherently or explicitly. Claims 5, 26, and 28 are amended to correct the dependency to previously canceled claims. Specific support for new claims 30-38 may be found at page 5, lines 8-10 and 13-14, and at page 18, lines 9-12. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

The Examiner has maintained the rejection of claims 2 and 6-7 under 35 U.S.C. § 112, first paragraph for allegedly failing to provide the appropriate evidence of satisfying the deposit of the polynucleotide clone for the enforceable life of the patent. Accordingly, the Applicant submits herewith a Statement Concerning the Deposits by the assignee having authority and control over the conditions of the deposit, as requested by the Examiner.

With respect to subparagraph d) of the Office Action, the Examiner alleges that amendment of the specification is required to recite the date of deposit and the complete name and address of the depository. Applicant respectfully submits that the deposit information is found in the disclosure as originally filed, for example, at page 16, line 21 to page 17, line 2, which does indicate the address and date of deposit together with the accession number. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Version with markings to show changes made

(a) Claims 5, 26 and 28 are amended as follows:

5. (Twice Amended) The isolated nucleic acid molecule according to claim [3] 4, wherein the molecule encodes the polypeptide comprising the complete amino acid sequence set forth in SEQ ID NO:2 or 7.

26. (Once Amended) A cell that contains the recombinant nucleic acid molecule according to claim [16] 25.

28. (Once Amended) The isolated nucleic acid molecule of claim [18] 27, wherein said polynucleotide sequence encodes the complete amino acid sequence as set forth in SEQ ID NO:7

(b) New claims 30-38 are added.